

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROY C. BRADLEY, SR.,

Petitioner,

v.

CASE NO. 16-CV-11176
CRIMINAL No. 13-CR-20622
HONORABLE GEORGE CARAM STEEH

UNITED STATES OF AMERICA,

Respondent.

ORDER OF DISMISSAL

Petitioner Roy C. Bradley, Sr., through counsel, filed a motion to vacate sentence pursuant to 28 U.S.C. § 2255 which the Clerk properly docketed in the criminal case assigned to Judge Ludington. Because petitioner inadvertently paid the filing fee, the Clerk also docketed the motion as a new civil matter which was assigned to this court. No filing fee is necessary for a § 2255 motion and the matter should not have been docketed as a new case. Accordingly, the Clerk is directed to refund the filing fee to petitioner. In addition, this civil case is DISMISSED.

IT IS SO ORDERED.

Dated: April 5, 2016

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on April 5, 2016, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk